

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------|---|-----------------------------|
| In re Application of: |) | |
| |) | |
| Xavier BLIN et al. |) | Group Art Unit: 1618 |
| |) | |
| Application No.: 10/528,835 |) | Examiner: Eric E. SILVERMAN |
| |) | |
| § 371 (c) Date: October 4, 2005 |) | |
| |) | |
| For: COMPOSITION COMPRISING A |) | Confirmation No.: 3743 |
| SEQUENCED POLYMER AND A |) | |
| GELLING AGENT |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, L'Oréal S.A., duly organized under the laws of France and having its principal place of business at 14, rue Royale, 75008 Paris, France, represents that it is the assignee of the entire right, title, and interest in and to the above-identified application, Application No. 10/528,835, filed October 4, 2005 for COMPOSITION COMPRISING A SEQUENCED POLYMER AND A GELLING AGENT in the names of Xavier BLIN and Véronique FERRARI, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 017578, Frame 0925, on October 4, 2005.

Assignee, L'Oréal S.A., further represents that it is the assignee of the entire right, title, and interest in and to U.S. Patent Application No. 11/089,210, as indicated by

assignments duly recorded in the United States Patent and Trademark Office at Reel 016715, Frame 0752 on June 22, 2005.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent issued on U.S. Patent Application No. 11/089,210. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent issued on U.S. Patent Application No. 11/089,210 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent issued on Application No. 11/089,210, as presently shortened by any terminal disclaimer, in the event that any patent issued on Application No. 11/089,210, later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated before the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule in 37 C.F.R. § 1.20(d), the required fee of \$140.00 is being filed with this disclaimer.


If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to Deposit Account 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account 06-0916

The undersigned is an agent of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 19, 2010

By: 
Wen Li
Reg. No. 62,185
(650) 849-6600